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PATENT
Customer No. 22,852
Attorney Docket No. 02734.0388-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|------------------------------|---|------------------------|
| In re Application of: |) | |
| |) | |
| Cristian M. NECULESCU et al. |) | Group Art Unit: 1732 |
| |) | |
| Application No.: 10/815,791 |) | Examiner: Mark Eashoo |
| |) | |
| Filed: April 2, 2004 |) | |
| |) | |
| For: DISPOSABLE FOOD CONTACT |) | Confirmation No.: 9925 |
| COMPATIBLE MICROWAVEABLE |) | |
| CONTAINERS HAVING AT LEAST |) | |
| ONE MICRONODULAR SURFACE |) | |
| AND PROCESS FOR THEIR |) | |
| MANUFACTURE |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents were previously submitted in a prior application, Application No. 09/572,967, filing date May 18, 2000, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120.

Copies of all listed documents are enclosed, except for U.S. patent application publications and issued patents. The above-identified application was filed after June 30, 2003, and, as indicated at 1276 OG 55, the submission of U.S. patent application

publications and issued patents is not required with this Information Disclosure Statement.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form. An English language abstract or an English language translation of the non-English documents are enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited document do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

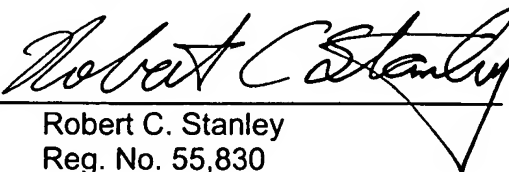
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 4, 2004

By:


Robert C. Stanley
Reg. No. 55,830



OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

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| Atty. Docket No. | 02734.0388-03 | Appln. No. | 10/815,791 |
| Applicant | Cristian M. NECULESCU et al. | | |
| Filing Date | April 2, 2004 | Group: | 1732 |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|-----------------|------------|-------------------|-------|-----------|----------------------------|
| Examiner Initial* | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
| | 3,893,795 | 07/08/75 | Nauta | | | |
| | 4,311,658 | 01/19/82 | Nicoll | | | |
| | 4,696,857 | 09/29/87 | Sibilia et al. | | | |
| | 4,734,450 | 03/29/88 | Kawai et al. | | | |
| | 4,809,876 | 03/07/89 | Tomaswick et al. | | | |
| | 4,929,474 | 05/29/90 | Avni et al. | | | |
| | 4,933,526 | 06/12/90 | Fisher et al. | | | |
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| | 5,023,286 | 06/11/91 | Abe et al. | | | |
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| | 5,750,226 | 05/12/98 | Macauley et al. | | | |
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| | 5,843,260 | 12/01/98 | Huskey | | | |
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|-----------------------|--|-----------------|------------|---------------------|-------|-----------|----------------------------|
| Examiner Initial* | | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
| | | 6,340,530 | 01/22/02 | Porter et al. | | | |
| | | 6,403,936 | 06/11/02 | Cochran, II, et al. | | | |
| | | | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | |
|--------------------------|--|-----------------|------------------|---------|-------|-----------|-----------------------|
| | | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
| | | EP 0 219 198 B1 | 10/09/91 | Europe | | | N/A |
| | | EP 0 407 198 B1 | 12/10/94 | Europe | | | N/A |
| | | JP 53 084044 | 07/25/78 | Japan | | | Yes |
| | | JP 59 209520 | 11/29/84 | Japan | | | Yes |
| | | JP 03 173626 | 07/26/91 | Japan | | | Abstract |
| | | | | | | | |

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| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |
| Form PTO 1449 | Patent and Trademark Office - U.S. Department of Commerce |